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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,094

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Rune Ulekleiv

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WASHINGTON, DC 20005

EXAMINER

WILLOUGHBY, TERRENCE RONIQUE

ART UNIT

PAPER NUMBER

2836

NOTIFICATION DATE

DELIVERY MODE

07/29/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/599,094	<b>Applicant(s)</b> ULEKLEIV ET AL.	
	<b>Examiner</b> TERRENCE R. WILLOUGHBY	<b>Art Unit</b> 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/19/06; 7/02/07</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Specification***

The abstract of the disclosure is objected to because:

1. The phrase "container 18" on page 5, ll. 6 should be rewritten as "container 10" to be consistent with the drawing Figures.
2. On page 4, line 18, presently read as "vertical bore 21" and line 22 as "central bore 21" which the examiner suggest it should be rewritten as "vertical bore 21" to be consistent with the drawing Figures.
3. On page 4, ll. 20-21, presently read as "a plurality of openings 23" and line 23 as "lateral bores 23" which the examiner suggest it should be rewritten as "plurality of openings 23" to be consistent with the drawing Figures.
4. On page 4, line 34, presently read as "the plug 18", which the examiner suggest it should be rewritten as the "valve mean 18" to be consistent with the drawing Figures.
5. On page 6, line 7, presently reads as "inner liner 15", and line 8 as "resistant part 13", which the examiner suggest it should be rewritten as "inner liner part 13" to be consistent with the drawing Figures.

Corrections are required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

6. Claims 1, 6-7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claims 1 and 9, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

8. Regarding claim 6, the claim recites "a turbulent flow", however the examiner is unclear what is meant by the phrase.

9. Regarding claim 7, the claim recites "a laminar flow", however the examiner is unclear what is meant by the phrase.

### ***Claim Objections***

10. Claim 1 is objected to because of the following informalities: The abbreviation "CNG" needs to be rewritten out in the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Schutz (US 2004/0218336).

13. Regarding claims 1 and 9, Schutz in (Fig. 1), discloses a fluid container (1, 2) for storage fluids, preferably combustible fluids (pages 1-2, paragraph [0011]), wherein the fluid container (1, 2) is made of thermoplastic and fibre composite material (abstract, page 1, paragraph [0005]) have a low electrical conductivity and wherein the fluid container (1), at its upper end, is provided with a valve means (i.e. the valve (12) is located at the upper end of the base section (49) forming a part of the fluid container (1, 2) respectively), through which fluid filling and discharging occurs (page 1, paragraph [0005]), and wherein the fluid container (1, 2) is provided with means for preventing electrostatic charges during filling operations, characterized in that means for reducing (page 1, paragraph [0005] and paragraph [and/or preventing build up of electrical and/or electrical potential on the interior wall of the container during filling of the container is arranged as an integral part of the upper end of the container wall in association with the valve means; said means substantially reducing the fluid velocity and/or changes the direction of the fluid flow during filling (i.e. the fluid container is provided with means for preventing electrostatic charges during filling operations, characterized in that means for reducing electrostatic charges (page 1-3, paragraphs [0005] and [0026])).

14. Regarding claim 2, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 1, wherein a collar (42) or cavity (26, 30) is arranged in the fluid container (1, 2) in the region of the valve means (12), and wherein opening (29) of the valve means (12) communicates with said cavity (26, 30).

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15. Regarding claim 3, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 2, wherein the cavity (26, 30) is provided with at least one opening (29) communicating with the interior (23, 30) of the container (1, 2).

16. Regarding claim 4, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 1, wherein said means for reducing and/or preventing build-up of electrical and/or electrostatic potential comprises a surface (21, 24, 25) surrounding the valve means (12), against which surface the fluid is intended to hit in order to change the direction of flow and/or velocity of the flow into a more or less transverse direction flow page 1, paragraph [0011]).

17. Regarding claim 5, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 1, wherein said means for reducing and/or preventing build-up of electrical and/or electrostatic potential comprises a nozzles or opening (29) which completely or partly pulverize the liquid flow (page 2, paragraph [0020]).

18. Regarding claim 6, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 5, wherein the nozzles or opening (29) produce a turbulent flow out of said nozzles or opening (29) (page 2, paragraph [0020]).

19. Regarding claim 7, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 5, wherein the nozzles or opening (29) produce a laminar flow out of said nozzles or opening (29) (page 2, paragraph [0020]).

**20.** Regarding claim 8, Schutz in (Fig. 1), discloses a fluid container (1, 2) according to claim 5, further comprising an outer casing and or an inner container (1, 2) made of a

electrically conducting material or provided with elements or material making the casing and or the inner container (1, 2) electrically conductive (page 2-3, paragraph [0026]).

### ***Allowable Subject Matter***

21. Claim 10 is objected to as being dependent upon a rejected base claim 9, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Combined claim 10 would be allowable over the prior art of record because the prior art does not teach or suggest wherein the direction of fluid flow at the outlet of the valve means is changed from an axial direction with respect to the valve means to a lateral direction, perpendicular on the said axial direction, whereupon the direction of flow is then changed back to a flow in said axial direction as set forth in the claimed invention.

### ***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TERRENCE R. WILLOUGHBY whose telephone number is (571)272-2725. The examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on 571-272-2084. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRW  
7/20/08

/Stephen W Jackson/  
Primary Examiner, Art Unit 2836